



SAN BRUNO CITY COUNCIL

ADJOURNED & REGULAR MEETING

MINUTES

August 10, 2004

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in an Adjourned City Council session starting at 6:30 p.m. for the purpose of a “**Closed Session**”, requested by City Attorney Thompson, to discuss litigation, **Cal Trout** vs. the City of San Bruno. (Pursuant to Gov’t Code Section 54956.9(a)). All Councilmembers were present.

At approximately 7:10 P.M. Mayor Franzella called the regular City Council meeting to order. Present were Mayor Franzella presiding, Vice Mayor O’Connell, Councilmembers Ruane, Ibarra, and Pallas. Recording by City Clerk Simon.

Mayor Franzella reported that no action was taken in the closed session and direction was given to the City’s legal counsel. Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. PLEDGE OF ALLEGIANCE was led by City Clerk Simon.

ANNOUNCEMENTS:

There will be a **Special City Council Meeting** to review the City’s policy on the sale and use of **Safe & Sane Fireworks**, Wednesday August 11, 2004, at the San Bruno Senior Center, located at 1555 Crystal Springs Road, at 7:00 pm.

PRESENTATIONS: None

2. REVIEW OF AGENDA: **Mayor Franzella** moved item 12.b to follow item 5. Public hearings.

3. APPROVAL OF MINUTES: For the regular Council meeting of July 27, 2004, and Special Joint City Council & San Bruno Park School District meeting of July 28, 2004.

Mayor Franzella requested the minutes of July 27, 2004, be corrected. Page 3 of 6 under Public Hearing should read, “None of the affected property owners or their representatives were present or desires to speak after receiving notice of this hearing.” Minutes were approved with this correction to be made.

4. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

a. Approve: Payroll of July 30, 2004

b. Approve: Accounts Payable of July 12th & 26th, 2004. (Council Packets only, copy is available for review at the City Clerk’s office)

M/S Ibarra/Ruane to approve the consent calendar and passed with unanimous vote.

5. PUBLIC HEARINGS: (Notices have been published, posted, and mailed.)

Hold Public Hearing, regarding establishment of the west side of the 400 block of Huntington Avenue, as a **Residential Permit Parking District** for the Huntington Avenue/Caltrain area, and adopt a resolution amending the Master Fee Schedule for FY 2004-05. Introduction/roll call vote.

1. Adopt a resolution establishing the Residential Permit Parking District.

2. Adopt a resolution amending the Master Fee Schedule FY 2004-05 to add Residential Permit Parking District fees.

Public Works Director Munns gave a brief staff report and history of this project.

Councilmember Ibarra asked if any residents outside the Huntington Avenue area had requested inclusion into this parking district and Director Munns replied no. **Mayor Franzella** opened the Public Hearing and explained that anyone from the public may address the Council at this time.

Rose Urbach of Euclid Avenue questioned why the residents needed to pay when they were not the ones causing the parking problem.

Mike Panigiris Huntington Avenue thanked the Mayor and Council for approving this parking district. This is the only way to keep people using Caltrain from parking in front of their homes.

Olivia Vizzi Milton Avenue lives two blocks away and there is no place to park on her street. People park cars on the sidewalk of the 400 block and she is forced to walk into the street. Please do something like give tickets to violators.

M/S Pallas/Ibarra to close the public hearing and passed with unanimous vote.

Councilmember Pallas said he is in favor of establishing the parking district but does not feel the residents should pay any fee since they are not the ones causing the problems. What does this cost the City per year? **Mayor Franzella said** this program is cost neutral and only serves 17 properties. If we ever expand we will not be able to afford the program cost. The residents have a fee of \$17.50 per year, which is not too burdensome. **Vice Mayor O’Connell** requested the review time be changed to nine months as requested by the Public Works Director. **Councilmember Ruane** introduced the first resolution establishing the program for adoption and called for a roll call vote, it passed with all Ayes.

Councilmember Ruane introduced the second resolution amending the master fee schedule and roll call vote with Ayes, Ruane, Ibarra, O’Connell, Franzella and No’s Pallas.

Item 12. b was moved up and the Personnel Board members addressed the City Council.

Chair Kenneth Pfeiffer introduced the other member, Cordes, Jones, and Young and an annual report was given to the City Council. Mayor Franzella thanked the Board for all their hard work and many accomplishments.

6. UNFINISHED BUSINESS:

Receive report responding to Vice Mayor O’Connell’s request for proposed ways for the City to **recognize veterans**.

Parks and Recreation Services Director Mazzuca provided the Council with several alternatives to honor and recognize veterans.

Councilmember Ibarra requested information as to why the building was selected as the “War Memorial Building” City Clerk Simon indicated that the minutes of 1955, the year the building was erected, do not detail any history.

Councilmember Pallas said a large sign should be put up saying “War Memorial Building” and he still desires to have the street named “Veterans Way”.

Vice Mayor O’Connell desires to have a peace garden at City Hall Plaza near the Narita City Bench and this would be a visible reminder dedicated to all armed forces. Rededicating the War Memorial Building on Veterans Day or Memorial Day would be appropriate. She requested staff investigate using Sneath Lane near the Cemetery or Tanforan to construct a peace plaza.

Carolyn Livengood of Sheryl Drive questioned why there are no representatives from the Veterans Groups here tonight and feels their input would be appropriate.

Mayor Franzella said he would like to see a rededication of the War Memorial Building and provide a peace garden with appropriate sculpture.

Mike Panigiris of Huntington Avenue said he is a veteran and no one has asked him for ideas and feels something should be sent to veterans to obtain their ideas.

Councilmember Ruane said he is a veteran and likes the idea of rededicating the War Memorial Building and placing a mural on the building and this would be very prominent as you drive by.

Councilmember Ibarra stated that he is not a veteran but we cannot have too many monuments recognizing veterans. He would like the Culture & Arts Commissions to take the lead on this project.

Mayor Franzella said the City Council needs to give the direction and should not delegate as to what type of memorial should be placed. It would be best to have a “Study Session” and contact the veterans groups to have them attend. He requested the first meeting in September starting at 6:00 p.m. to take input from veterans. The Councilmembers gave concurrence.

Vice Mayor O’Connell requested that the Council at least give its support to the idea of rededicating the War Memorial Building and all Councilmembers gave concurrence.

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None

8. COMMUNICATIONS: None

9. STAFF REPORTS:

- a. Public Works Director Munns recommended the Council adopt a resolution authorizing the acceptance of the **Sneath Lane Connection C-1 Pressure Regulating Station** project and the filing of a Notice of Completion with the San Mateo County Recorder.

Councilmember Ruane introduced the resolution for adoption with a roll call vote of all Ayes.

- b. CATV Director Gyaltsen recommended the City Council adopt a resolution authorizing the City Manager to execute a lease agreement with **MetroPCS**, Florida/California, Inc., d/b/a MetroPCS to construct and operate a wireless communication site at Grundy Park on **Cherry Avenue**

Director Gyaltsen addressed the City Council and stated he has heard concerns from Councilmembers that we were approving the lease prior to Metro PCS obtaining a use permit, and prior to the Council actually seeing what the project would look like after installation of the cell equipment. He assured the Council that the commencement of the lease is contingent upon obtaining a use permit.

Mayor Franzella said he has concerns of the appearance of the flagpole design. The Council should call up the permit after the Planning Commission reviews it so Councilmembers can review the design and if it is ugly we will not execute the lease agreement.

Councilmember Ibarra is not concerned about the lease because the staff can handle very well. He believes we will have many more applications for antennae and we need to pay more attention to what they will look like.

Councilmember Ruane introduce the resolution for adoption with the requirement that notice be given to the Planning Commission that the use permit will be called up for final review by the City Council. Roll call vote was taken with all Ayes.

- c. Director of Finance Director Jim O’Leary recommends that the City Council adopt a resolution Approving the City’s appropriations limit of \$22,669,090 for FY 2004-05 (**Gann Initiative**). This annual calculation for the appropriations limit is a requirement of Article XIII B of the California Constitution. Documentation used in determining limit has been available for review in the City Clerk’s office.

Finance Director O’Leary gave the staff report to the City Council. **Councilmember Pallas** introduced the resolution for adoption with a roll call vote of all Ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES:

- a. Receive oral update report on the development of an ordinance imposing a 911 Emergency Communication Response Fee.

City Attorney Thompson updated the City Council on the issues involved with implementing a 911 Emergency Access fee and drafting an ordinance. Many Cities had the same idea and the wireless companies filed lawsuits. We have had the advantage of time to analyze the issues involved and have started a dialog with the phone companies and have avoided legal cost. She will bring the ordinance to the City Council in the next few weeks.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Rose Urbach of Euclid Avenue wants to know about a permanent City Council Chambers. What has the Council done so far and what plans are being made? Mayor Franzella responded that there is no funds budgeted or actions being taken at this time.

Ann Marie Jones explained that in 1945 the idea of the War Memorial Building began. Bonds we sold to help with the construction.

Robert Riechel of 7th Avenue requested to know if a meeting date has been set for the Caltrain Grade Separation Committee? Mayor Franzella responded that staff would contract him with this information.

Kevin Casey of Pacifica introduced Nick Iakobishvili, an exchange student from Tbilisi, the capital of the Republic of Georgia outside the Country of Russia. He is part of a Flex Program through the US State Departments Future Leaders Exchange Program and is here to observe the Council Meeting.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

- a. Vice Mayor O'Connell reminds residents that the deadline for submitting nominations for the **Annual Beautification Awards** is Friday, August 20th. Forms are available at City Clerk's office, Library and the City's website.

Vice Mayor O'Connell said she has arranged to have the award ceremony prior to the City Council meeting of October 12, 2004, and please keep the nominations forms coming in.

- b. Received an annual report from the City of San Bruno Personnel Board. (Action was taken after agenda item 5.)

13. NEW BUSINESS:

Designate a **Voting Delegate** to represent the City of San Bruno at the 2004 League of California Cities Annual Conference. Since no one was able to attend the event in Long Beach, on September 17, 2004, there was no need to designate a voting delegate from San Bruno.

14. ADJOURNMENT: With no further business to transact; the meeting adjourned to a Special Meeting of the City Council, on August 11, 2004, at 7:00 pm, at the Senior Center, at 1555 Crystal Springs Road, and will thereafter adjourn to the next Regular Meeting of the City Council on August 24, 2004, at 7:00 pm, at the Senior Center, at 1555 Crystal Springs Road.

The foregoing minutes were approved
at the regular meeting of the San Bruno
City Council on August 24, 2004.

Respectfully submitted for approval

Ed Simon, City Clerk

Larry Franzella, Mayor